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12 Attorneys for Plaintiffs

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16 555 12th Street, Suite 1500
17 Oakland, CA 94607
18 Telephone: (510) 808-2000
19 Facsimile: (510) 444-1108

20 Attorneys for Defendants

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA

23 LIONEL N. ALLEN; RALPH P. DAVIS;
24 MONICA OATEZ; MICHAEL OATEZ;
25 MARWAN OATEZ; JOHNNY D. STOKES,
26 and, MICHAEL A. FLEURY,

Action No. C-07-03509-PJH

27 **STIPULATION AND ~~PROPOSED~~ ORDER FOR**
28 **CONTINUATION OF CASE MANAGEMENT CONFERENCE**

Plaintiffs,

29 vs.

30 CITY OF SAN LEANDRO, a municipal corporation;
31 JOSEPH KITCHEN, in his capacity as Chief of Police
32 for CITY OF SAN LEANDRO; and, DOES 1-25,
33 inclusive, individually, and in their capacity as
34 San Leandro police officers,

Defendants. /

35 **STIPULATION**

36 All parties to this action stipulate and agree, by and through their respective counsel,
37 as follows:

38 1. The CITY OF SAN LEANDRO Council has approved settlement of this action in an amount
which had already been agreed to by all parties to this action, defendants' counsel have delivered a

1 "Release of All Claims" for signature by all plaintiffs and their counsel;

2 2. Once the "Release of All Claims" has been executed and returned to defendants' attorneys,
3 the settlement check will then be delivered by defense counsel to plaintiffs' attorneys at the Law
4 Offices of John L. Burris;

5 3. Upon receipt of the settlement check for this action by plaintiffs' attorneys at the Law Offices
6 of John L. Burris, the Stipulation and Order for Dismissal of Action will then be filed with this
7 Court;

8 4. Therefore, the parties request that this Court continue the Case Management Conference
9 presently scheduled for September 25, 2008 and the Joint Updated Case Management Conference
10 Statement, for approximately two (2) months.

11 LAW OFFICES OF GAYLA B. LIBET

12 Dated: 9-22-08 By: Gayla B. Libet
13 GAYLA B. LIBET, Esq.
14 Attorneys for Plaintiffs

15 LAW OFFICES OF JOHN L. BURRIS

16 Dated: 9/22/08 By: John L. Burris
17 JOHN L. BURRIS, Esq.
18 Attorneys for Plaintiffs

19 MEYERS, NAVE, RIBACK, SILVER & WILSON

20 Dated: _____ By: _____
21 KIMBERLY E. COLWELL, Esq.
22 Attorneys for Defendants

23 **ORDER**

24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 Dated: _____
26 HONORABLE PHYLLIS J. HAMILTON
27 United States District Court Judge
28

"Release of All Claims" for signature by all plaintiffs and their counsel;

2. Once the "Release of All Claims" has been executed and returned to defendants' attorneys, the settlement check will then be delivered by defense counsel to plaintiffs' attorneys at the Law Offices of John L. Burris;

3. Upon receipt of the settlement check for this action by plaintiffs' attorneys at the Law Offices of John L. Burris, the Stipulation and Order for Dismissal of Action will then be filed with this Court;

4. Therefore, the parties request that this Court continue the Case Management Conference presently scheduled for September 25, 2008 and the Joint Updated Case Management Conference Statement, for approximately two (2) months.

LAW OFFICES OF GAYLA B. LIBET

Dated: _____ By: _____
GAYLA B. LIBET, Esq.
Attorneys for Plaintiffs

LAW OFFICES OF JOHN L. BURRIS

Dated: _____ By: _____
JOHN L. BURRIS, Esq.
Attorneys for Plaintiffs

MEYERS, NAVE, RIBACK, SILVER & WILSON

Dated: September 22, 2008 By: Tricia Hynes
TRICIA HYNES, Esq.
Attorneys for Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Case Management Conference continued to December 4, 2008 at 2:30 p.m.

Dated: 9/23/08

HONORABLE PHYLLIS J. HAMILTON
United States District Court

